REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-20 were pending in the application, of which Claims 1, 8, and 12 are independent. In the Office Action dated June 22, 2005, Claims 1-4 and 12-19 were rejected under 35 U.S.C. § 102(e) and Claims 5-11 and 20 were rejected under 35 U.S.C.§ 103(a). Following this response, Claims 1, 3-12, 14-15, and 21-27 remain in this application. Claims 2, 13, and 16-20 have been canceled without prejudice or disclaimer and new Claim 21-27 have been added. Applicant hereby addresses the Examiner's rejections in turn.

I.   Rejection of the Claims Under 35 U.S.C. § 102(e)

In the Office Action dated June 22, 2005, the Examiner rejected Claims 1-4 and 12-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,295,540 ("*Sanschagrin*"). Claims 1, 12, and 15 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter. Claims 3 and 14 have been amended to place them in better form for consideration and add no new matter. Claims 2, 13, and 16-19 have been canceled without prejudice or disclaimer.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "the request comprising a target identification code corresponding to the network element." Amended Claim 12 includes a similar recitation. Claim 15 has been placed in independent form including all limitations of the base claim and the intervening claims.

In contrast, *Sanschagrin* at least does not disclose the aforementioned recitation. For example, *Sanschagrin* discloses that a user can specify the type of data to be returned (e.g. network element type, trail ID, slot ID, the ratio of carrier on a certain trail, etc.) and the format (e.g., the fields and size). (*See* col. 6, lines 10-13.) In *Sanschagrin*, a request from a user that identifies a particular network element by that element's target identification code is not disclosed. Rather *Sanschagrin* merely discloses that a particular data type (to be returned to the user) may be specified by the user.

Sanschagrin does not anticipate the claimed invention because *Sanschagrin* at least does not disclose "the request comprising a target identification code corresponding to the network element", as recited by amended Claim 1. Amended Claim 12 includes a similar recitation. Claim 15 has been placed in independent form including all limitations of the base claim and the intervening claims. Accordingly, independent Claims 1, 12, and 15 each patentably distinguish the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 12, and 15.

Dependent Claims 3-4, 14, 16, and 18-19 are also allowable at least for the reasons described above regarding independent Claims 1 and 12, and by virtue of their respective dependencies upon independent Claims 1 and 12. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 3-4, 14, 16, and 18-19.

II.   Rejection of Claim 5-7 and 20 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 5-7 and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Sanschagrin* in view of U.S. Patent No. 5,870,558 ("*Branton*"). Dependent Claims 5-7 are patentably distinguishable over the cited art for at least for the reason that they include, due to their dependency on amended independent Claim 1, "the request comprising a target identification code corresponding to the network element." Claim 20 has been canceled without prejudice or disclaimer.

Applicant respectfully submits that *Sanschagrin* at least does not teach, suggest, or disclose the aforementioned recitation. For example, *Sanschagrin* teaches that a user can specify the type of data to be returned (e.g. network element type, trail ID, slot ID, the ratio of carrier on a certain trail, etc.) and the format (e.g., the fields and size). (*See* col. 6, lines 10-13.) In *Sanschagrin*, a request from a user that identifies a particular network element by that element's target identification code is not disclosed. Rather *Sanschagrin* merely teaches that a particular data type (to be returned to the user) may be specified by the user.

Furthermore, *Branton* does not overcome *Sanschagrin's* deficiencies. *Branton* merely teaches a intranet graphical user interface for SONET network management. Like *Sanschagrin*, *Branton* at least does not teach or suggest the request comprising a target identification code corresponding to the network element.

Combining *Sanschagrin* with *Branton* would not have led to the claimed invention because *Sanschagrin* and *Branton*, either individually or in combination, at least do not teach, suggest, or disclose "the request comprising a target identification code corresponding to the network element", as included in dependent Claims 5-7.

Accordingly, dependent Claims 5-7 patentably distinguish the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of dependent Claims 5-7.

III.   Rejection of Claim 8-11 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 8-11 under 35 U.S.C. § 103(a) as being unpatentable over *Sanschagrin* in view of *Branton*. Claim 8 has been amended, and Applicant respectfully submits that the amendment overcomes this rejection and adds no new matter.

Amended Claim 8 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "the request comprising a target identification code corresponding to the network element." In contrast, *Sanschagrin* at least does not teach, suggest, or disclose the aforementioned recitation. For example, *Sanschagrin* teaches that a user can specify the type of data to be returned (e.g. network element type, trail ID, slot ID, the ratio of carrier on a certain trail, etc.) and the format (e.g., the fields and size). (*See* col. 6, lines 10-13.) In *Sanschagrin*, a request from a user that identifies a particular network element by that element's target identification code is not disclosed. Rather *Sanschagrin* merely discloses that a particular data type (to be returned to the user) may be specified by the user.

Furthermore, *Branton* does not overcome *Sanschagrin's* deficiencies. *Branton* merely teaches an intranet graphical user interface for SONET network management. Like *Sanschagrin*, *Branton* at least does not teach, suggest, or disclose the request comprising a target identification code corresponding to the network element.

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Combining *Sanschagrin* with *Branton* would not have led to the claimed invention because *Sanschagrin* and *Branton,* either individually or in combination, at least do not teach, suggest, or disclose or suggest "the request comprising a target identification code corresponding to the network element", as recited by amended Claim 8. Accordingly, independent Claim 8 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claim 8.

Dependent Claims 9-11 are also allowable at least for the reasons described above regarding independent Claim 8, and by virtue of their dependency upon independent Claim 8. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 9-11.

IV.   New Claims

Claims 21-27 have been added to more distinctly define and to round out the protection for the invention to which Applicant is entitled. Applicant respectfully submits that these claims are allowable over the cited art and that they add no new matter.
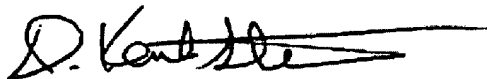
V.   Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the

preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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